

REMARKS

Claims 1-6, 9, 10, 12, 13, 16-21, 24, 25, 29 and 30 are pending in this application. By this Amendment, claims 1, 10 and 18 are amended. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

I. Personal Interview

The courtesies extended to Applicant's representative by Examiner King during the interview held December 10, 2003, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

II. Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claims 3 and 10, they being allowable if rewritten to include all of the features of the base claim and any intervening claims. Applicants also appreciate the indication of allowable subject matter in claims 18-20, they being allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph and to include all of the features of the base claim and any intervening claims. Applicants assert that claims 3, 10 and 18-20, as well as the remaining pending claims, are allowable for at least the reasons discussed below.

III. Claim Rejections Under 35 U.S.C. §112

Claims 18-20 are rejected under 35 U.S.C. §112, second paragraph. As claim 18 is amended, Applicants respectfully request the rejection of claims 18-20 under 35 U.S.C. §112, second paragraph, be withdrawn.

IV. Claim Rejections Under 35 U.S.C. §102

Claims 1, 2, 4, 9, 13, 21, 25, 29 and 30 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,788,341 to Penrod et al. (Penrod).

Applicants assert that as discussed and agreed during the personal interview, Penrod does not disclose each and every feature recited in the amended rejected claims. For example, Penrod does not disclose a screw actuator comprising *inter alia* a nut engaging each other by a plurality of first rolling elements, and a reduction gear means, wherein the nut is axially fixed with respect to the housing, and the screw is rotatably supported with respect to the housing by means of the rolling elements and wherein the screw engages the actuating member through a plurality of second rolling elements capable of carrying at least one of an axial load and a radial load, as recited in amended claim 1.

Rather, Penrod discloses a screw actuator wherein the screw is connected to the piston through a swivel or a single ball and cup. Additionally, such a layout is not fit for actuating brake pads of a disk brake. Accordingly, Applicants respectfully request the rejection of claims 1, 2, 4, 9, 13, 21, 25, 29 and 30 under 35 U.S.C. §102(b) be withdrawn.

V. Claim Rejections Under 35 U.S.C. §103(a)

Claims 5 and 24 are rejected under 35 U.S.C. §103(a) as unpatentable over Penrod. The rejections are respectfully traversed. Applicants submit that claims 5 and 24 are allowable or at least their dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein.

The Office Action alleges in the rejection of claim 5 that it is well known in the art to use multiple gear reduction steps, no support is provided for such a conclusory statement. Similarly, the Office Action provides only conclusory statements in its rejection of claim 24 although it is alleged that the recitation of claim 24 is well known in the art. Accordingly, Applicants respectfully request the rejection of claims 5 and 24 under 35 U.S.C. §103(a) be withdrawn.

Claims 16 and 17 are rejected under 35 U.S.C. §103(a) as unpatentable over Penrod in view of U.S. Patent No. 4,850,457 to Taig. The rejection is respectfully traversed.

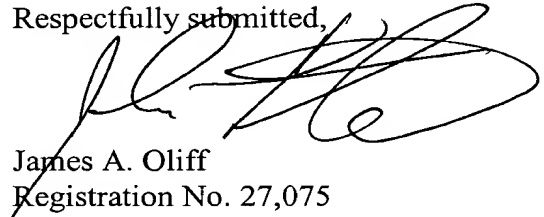
Applicants assert that claims 16 and 17 are allowable for at least their dependency on independent claim 1 for the reason discussed above, as well as for the additional features recited therein.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6, 9, 10, 12, 13, 16-21, 24, 25, 29 and 30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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